

DOCKET NO.: 198164US0PCT



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF:

Pierre JEANVOINE

SERIAL NO: 09/646,880

GROUP: 1731

FILED: January 26, 2001

EXAMINER: M. COLAIANNI

FOR: METHOD FOR PREPARING RAW MATERIALS FOR GLASS-MAKING

RECEIVED  
OCT 03 2003  
TC 1700

**LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith is an English translation of Indonesian Office Action; Australian Written Opinion for the Patent Office in Singapore; Australian Office Action; New Zealand Examination Report; European Office Action; Russian Office Action for the Turkish Patent Office; Hungarian Novelty Search Report; Taiwanese Office Action (translation) for the Examiner's consideration. The reference(s) cited therein have been previously filed on January 3 and February 27, 2003.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
Richard L. Treanor  
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BIRO OKTROI ROOSSENO - ENGLISH TRANSLATION OF OFFICIAL ACTION

Date July 2003

Page 1

Application Number W-2000 2253

RESULT OF SUBSTANTIVE EXAMINATION STAGE I

Substantive examination has been conducted on the patent application documents (description, claims, drawings) in connection with the abovementioned patent application:

- [ v ] application documents, original as being applied  
[ v ] description, page 1 - 18, original as being applied  
description, page \_\_\_\_\_, your letter dated \_\_\_\_\_  
[ v ] claim, number 1 - 24, original as being applied  
claim, number \_\_\_\_\_, your letter dated \_\_\_\_\_  
[ v ] figure, number 1, original as being applied  
figure, number \_\_\_\_\_, your letter dated \_\_\_\_\_

Things to be noted:

1. Based on the international search report to the international application no. PCT/FR 00/00239, that the present application was compared with the following documents:  
D1 = EP 0 812 809 A  
D2 = WO 99/35099 A  
D3 = FR 2 774 085 A.  
Documents D1-D3 can anticipate the novelty of claims 1-3, 5, 13. Please respond accordingly.
2. Technical terms and typographical errors - handled by BOR
3. In compliance with Article 54 of Government Regulation No.34/1991, you are required to submit copies documents related to the corresponding patent application filed such search report including relevant documents cited therein, further communications as well as your response to the objection above, and its granted patent, if available.

Patent Examiner  
signed  
Ir. Alex Rahman  
NIP. 040060487

**IV. Reasoned statement under with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)	Claims	YES
	Claims 1-18	NO
Inventive step (IS)	Claims	YES
	Claims 1-18	NO
Industrial applicability (IA)	Claims 1-18	YES
	Claims	NO

**2. Citations and explanations**

The invention is concerned with a process for producing silicate compounds by converting silica in the presence of chlorides, sulphates or nitrates of alkali metals an/or alkaline earth metals and/or rare earths wherein the heat is supplied by the use of submerged burners. The invention also defines an apparatus for the above process which has a characterising feature a submerged burner. in the reactor. The invention also is directed to a process of making glass by converting silica in the presence of chlorides, sulphates or nitrates of alkali metals an/or alkaline earth metals and/or rare earths wherein the heat is supplied by the use of submerged burners.

Documents cited and considered are:-

- (i) EP 812869 (PRAXAIR TECHNOLOGY)
- (ii) WO 99/35099 (SAINT-GOBAIN VITRAGE)
- (iii) FR 2774085 (SAINT-GOBAIN VITRAGE)

Document (i) discloses the use of submerged combustion in figure 4 and in claim 6.

Document (ii) discloses in the claims and in figure 1 the use of submerged burners.

Document (iii) discloses in the claim 1 and in figure 1 the use of submerged burners.

In view of the fact that the above documents all disclose the use of submerged burners and also of the applicants own admission on page 4 that the use of submerged burners is well known it follows that the invention as claimed is lacking in novelty and does not posses an inventive step.

**VII. Certain observations on the application**

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

The claims as a whole are rendered unclear and indefinite for the use of the following vague and ill-defined terms:- "such as", "optionally", "especially", "possibly", "in particular", "for example" and 'preferably'. The use of these terms makes it difficult to determine the exact scope of the claims.

In claim 18 the term "the submerged burner" has no antecedent basis making the claim unclear.

The claimed invention is patentable according to Section 13(3); or

The claimed invention is unpatentable according to Section 13(3) because:

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13 January 2003

GRIFFITH HACK  
GPO Box 1285K  
MELBOURNE VIC 3001

Your Ref : PNF:D::P39799

Examiner's first report on patent application no. 23016/00  
by SAINT-GOBAIN GLASS FRANCE

Last proposed amendment no.

Dear Madam/Sir,

I am replying to the request for examination. I have based this report on the verified translation. I have examined the application and I believe that there are lawful grounds of objection to the application. These grounds of objection are:

1. There is no Notice of Entitlement on file. You will need to file one because an application without a Notice of Entitlement cannot be accepted.
2. Claims 1, 9 and 18 are not novel or inventive in light of EP 812809 (praxair) (cited in the ISR). This document discloses the use of submerged combustion.
3. Claims 1, 9 and 18 not novel when compared with the following published Australian specification 20616/99. The citation discloses the invention defined in the present claim. Although the citation was published later than the priority date of the present claim its information has an earlier priority date than the present claim.

You have 21 months from the date of this report to overcome all my objection(s) otherwise your application will lapse. You will need to pay a monthly fee for any response you file after 12 months from the date of this report.

Yours faithfully,



JAMES DZIEDZIC  
Senior Examiner of Patents, Section B2  
Telephone: (02) 6283 2495

4 February 2002

A J PARK  
DX SP20064  
Wellington

**Patent Application No:** 507427  
**In the Name of:** SAINT-GOBAIN GLASS FRANCE  
**Your ref:** P434204 KCT/cas

## Examination Report

1. Thank you for your application that became examinable under the National Phase (under section 26(G)) on 5 November 2000.
2. Examination has been performed on the specification as filed.
3. **Section 10(4):**

Claim 17: Claims that embrace fields not yet explored by the applicants, are considered to be not fairly based on the disclosure. The applicant is required to clearly define the materials applicable to the invention.

The applicants are referred to: **Esau's Application** 49 RPC 85, **Montecatini Edisons' Application**[1972] RPC 639 and **Electric & Musical Industries Application** 56 RPC 39, 41.

The applicant may wish to consider that there does not appear to be any reference in the disclosure to perform the processes as claimed in Claim 17. The applicant is invited to comment.

4. The time for completion of all matters expires on **4 May 2003**. An extension of time of up to three months may be requested under Section 19(2).

Yours sincerely



Leong Goh  
for Commissioner of Patents, Trade Marks and Designs  
Direct Dial (04) 560 1665

The Intellectual Property Office is a Business Unit of the Ministry of Economic Development



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**Europäisches  
Patentamt**

Generaldirektion 2

**European  
Patent Office**

Directorate General 2

**Office européen  
des brevets**

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FRANCE

**Numéros de téléphone :**

**Examinateur chargé de  
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(questions relatives à l'examen  
quant au fond)

**Agent des formalités / Assistant** +49 89 2399-2718  
(questions relatives à la forme et  
autres questions)



Demande n°  
00 901 697.3 - 2122  
  
Demandeur  
SAINT-GOBAIN VITRAGE

Ref.  
VR2 99008 PCT

Date  
12.08.2003

**Notification établie conformément à l'Article 96(2) CBE**

L'examen de la demande précitée a montré qu'elle ne satisfait pas aux conditions prévues par la Convention sur le brevet européen pour les motifs précisés en annexe. S'il n'est pas remédié aux irrégularités indiquées, la demande pourra être rejetée en vertu de l'article 97(1) CBE.

Nous vous invitons à présenter vos observations et, dans la mesure où il peut être remédié aux irrégularités qui ont été signalées, à y remédier dans le délai

**de 4 mois**

à compter de la signification de la présente notification. Le délai est calculé conformément aux dispositions des règles 78(2), 83(2) et (4) CBE.

Les modifications de la description, des revendications et des dessins doivent être produites sur des feuilles séparées, en un exemplaire, dans le délai susmentionné (règle 36(1) CBE).

**Si vous ne déférez pas à cette invitation dans le délai imparti, la demande de brevet européen est réputée retirée (article 96(3) CBE).**



DE RUITER F J  
1er examinateur  
pour la division d'examen

Pièces jointes: 3 page/s exposant les motifs (Form 2906)



Bescheid/Protokoll (Anlage)	Communication/Minutes (Annex)	Notification/Procès-verbal (Annexe)
Datum Date Date	12.08.2003	Blatt Sheet Feuille

1

Anmelde-Nr.: 00 901 697.3  
Application No.: 00 901 697.3  
Demande n°:

Les pièces suivantes de la demande **servent de fondement à l'examen**:

Dans la version pour les Etats contractants:

AT BE CH LI CY DE DK ES FI FR GB GR IE IT LU MC NL PT SE

**Description, pages:**

1-18                   version publiée

**Revendications, N°:**

1-18                   version publiée

**Dessins, feuilles:**

1/1                   version publiée

1. Selon l'avis du premier examinateur les revendications 1 à 8 et 13 à 18 de la demande satisfont aux exigences des Articles 54 et 56 de la CBE.
2. Le dispositif selon la revendication 9 est connu du document WO-A1-99/35099 (D1; voir spécialement les revendications 18 à 21). Ici il est à noter que le moyen d'introduction ne peut pas être caractérisé par les matériaux qui sont introduits.
3. Aussi les caractéristiques définies dans les revendications 10 et 11 sont connues du document D1. Il est à noter que les caractéristiques citées après des expressions telles que "de préférence", "par exemple" etc. n'ont pas d'effet limitatif sur la portée d'une revendication.
4. Du fait que, dans le procédé décrit dans le document D1 et mis en oeuvre pas le dispositif connu de ce document, pas de chlorures ou de sulfates ou de nitrates sont utilisés comme matériaux primaires, les caractéristiques définies dans la revendication 12 ne sont pas évidentes pour l'homme du métier.
5. Il n'est pas clair dans quoi le (les) brûleur(s) indiqué(s) dans les revendications 1 et 18 est (sont) immergé(s). De ce fait les revendications 1 et 18 ne remplissent



Bescheid/Protokoll (Anlage)	Communication/Minutes (Annex)	Notification/Procès-verbal (Annexe)
Datum Date Date	12.08.2003	Blatt Sheet Feuille

2

Anmelde-Nr.: 00 901 697.3  
Application No.: 00 901 697.3  
Demande n°:

pas les conditions énoncées à l'Article 84 CBE.

6. Les utilisations **du procédé** selon l'une des revendications 1 à 8 définies dans les revendications 13 à 17 comprennent tous les caractéristiques définies dans la revendication 1 et, de ce fait, tous les caractéristiques essentielles de l'invention.

Au contraire, les utilisations **du dispositif** selon l'une des revendications 9 à 12 définies dans les revendications 13 à 17 ne comprennent pas les caractéristiques définies dans la revendication 1 et, de ce fait, ne comprennent pas tous les caractéristiques essentielles de l'invention. De ce fait les revendications 13 à 17 ne remplissent pas les conditions énoncées à l'Article 84 de la CBE (voir les Directives relatives à l'Examen, C III, 4.3(ii) et 4.4). Il est à noter que l'expression "de mise en oeuvre du procédé selon l'une des revendications précédentes" dans la revendication 9 n'a pas d'effet limitatif sur la portée de cette revendication (voir les directives relatives à l'Examen C III, 4.8).

7. En vue de faciliter la compréhension des revendications 1 à 8 et 18, les caractéristiques figurant dans les revendications devraient comporter des signes de référence mis entre parenthèses (règle 29(7) CBE), et ceci dans les deux parties des revendications lorsqu'elles sont rédigées sous une telle forme (voir les Directives, C-III, 4.11).
8. Le demandeur est invité à déposer de nouvelles revendications tenant compte des observations formulées ci-dessus.

Lors du dépôt de revendications modifiées le texte correspondant de la description devrait être adapté à celui de ces revendications modifiées. Il y aurait lieu de veiller à cette occasion, notamment en ce qui concerne la partie introductory de la description et l'exposé du problème ou des avantages, à ce que l'objet de la demande ne s'étende pas au-delà du contenu de la demande telle qu'elle a été déposée (article 123(2) CBE).

En vue de répondre aux conditions énoncées à la règle 27 (1) b) CBE, il appartient au demandeur de citer dans la description le document D1 et d'indiquer l'état correspondant de la technique.

Afin de faciliter l'examen de conformité au regard des dispositions de l'article 123(2) CBE des pièces modifiées de la demande, le demandeur est invité à



Bescheid/Protokoll (Anlage)	Communication/Minutes (Annex)	Notification/Procès-verbal (Annexe)
Datum Date Date	12.08.2003	Blatt Sheet Feuille

3

Anmelde-Nr.: 00 901 697.3  
Application No.: 00 901 697.3  
Demande n°:

identifier clairement les modifications apportées, qu'il s'agisse de modifications par adjonction, remplacement ou suppression et à préciser sur quels passages de la demande telle que déposée ces modifications sont basées.

Ces modifications pourront, le cas échéant, être portées sous forme manuscrite sur une copie des parties concernées de la demande telle que déposée.

Le demandeur est prié d'effectuer les modifications en ne déposant des pages de remplacement que pour les seules pages modifiées. Une nouvelle rédaction de toute la description devrait être évitée. Un abrégé modifié n'est pas requis. Le demandeur est également invité à tenir compte des dispositions de la règle 36(1) CBE. Si les modifications apportées sont manuscrites, elles devraient être parfaitement lisibles pour l'imprimeur. *Selon la décision du President de l'OEB conformément à la règle 35(2) CBE (JO OEB 12/2001, 563) les documents de remplacement de la demande de brevet européen doivent être produits en un exemplaire.*

## EXAMINATION REPORT

Request No: TR 02/323	Date of Receipt: 25 July 2002 (25.07.2002)	
Application No: 2000/02899	Filing date (day/month/year) 02 February 2000 (02.02.2000)	Priority date (day/month/year) 05 February 1999 (05.02.1999)
Applicant SAINT GOBAIN GLASS FRANCE		

1. This report consists of a total of 5 sheets, including this cover sheet.

2. This report contains indications relating to the following items:

- I     Basis of the report
- II     Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- III     Lack of unity of invention
- IV     Certain observations on the application
- V     Non-establishment of opinion with regard to novelty, inventive step or industrial applicability

3. The application concerns:

- I     pharmaceutical products/substances or their process of preparation
- II     veterinary products/substances or their process of preparation

Date of mailing this report: 25 November 2002 (25.11.2002)

Name and mailing address of the International Preliminary Examining Authority  Federal institute of industrial property 30-1, Berezhkovskaya nab., Moscow, 121858, Russia  Facsimile No. (095) 243-33-37	Authorized officer:  M. Shatalova  Telephone № (095) 240 25 91 GIRI
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## EXAMINATION REPORT

Application No

2000/02899

### I. Basis of the report

1. This report has been drawn on the basis of:

- the application as originally filed.
- the description, pages \_\_\_\_\_, as originally filed.  
pages \_\_\_\_\_, as amended on the date \_\_\_\_\_
- the claims. Nos. \_\_\_\_\_, as originally filed,  
Nos. \_\_\_\_\_, as amended on the date \_\_\_\_\_
- the drawings. sheets/fig \_\_\_\_\_, as originally filed,  
sheets/fig \_\_\_\_\_, as amended on the date \_\_\_\_\_

2. The amendments have resulted in the cancellation of:

- the description, pages
- the claims, Nos.
- the drawings, sheets/fig

3. This report has been drawn with the following materials taken into account:

- the search report has been performed by the FIPS
- the search report has been performed by other searching authority
- the previous examination report has been performed by other examining authority
- the previous examination report has been performed by the FIPS
- the applicant's comments in response to the search report or the examination report

## EXAMINATION REPORT

Application No

2000/02899

### II. Reasoned statement with regard to novelty, inventive step or applicability; citations and explanations supporting such statement

#### 1. Statement

Novelty (N)	Claims	1-18	YES
	Claims		NO
Inventive Step (IS)	Claims	12, 14, 16-17	YES
	Claims	1-11, 13, 15, 18	NO
Industrial Applicability (IA)	Claims	1-18	YES
	Claims		NO

#### 2. Citations and explanation:

The examination report is drawn on the basis of the following documents:

D1 EP 0812809 17.12.1997

D2 WO 99/35099 15.07.1999

D3 FR 2774085 30.07.1999

D4 "Glass Technology", issued by I.M.Kitajgorodsky, Moscow, Gosstroyizdat,1961, pages 84,94,95,235,307,308,313,325, 335 – new document (copy is enclosed)

D5 M.I.Kozmin et al, "Investigation of Test Furnace Using Combustion of Gas in a Glass Batch and Clarifying in a Thin Layer", "Glass and Ceramics", 1974, No 9, pages 13, 14 - new document (copy is enclosed)

D6 US 4 545 800 (PPG INDUSTRIES, INC.,) Oct.8, 1985 - new document (copy is enclosed)

D7 SU 1659363 (И.И.КУКСИН и др.) – new document (copy is enclosed)

According to experts, the embodiment described in D1 is not the closest analog with a sufficient extent of relevancy. D2 and D3 include features common with those of the applied embodiment. However said documents were published after the date of priority of the claimed invention and may not be therefore included in the prior art.

The analysis of the claimed invention was based on the documents D4 to D7, which exhibited, according to the group experts, the maximum extent of relevancy. With regard to the aforesaid, D4 may be offered as the closest analog of a process of claim 1 from the prior art.

In particular, it follows from D4, page 84, that at the initial stage of melting batch materials a process of silicate conversion occurs, in particular, synthesizing by conversion of silica and salts of alkali and alkaline earth metals (pages 94,95), such as sodium sulfate, sodium chloride, calcium fluoride (pages 313,325).

The process of claim 1 differs in that the heat necessary for such conversion is fed, at least partly, by one or more submerged burners.

So the process with regard to an independent claim 1 and dependent claims 2 to 8 meets the criterion of novelty.

## EXAMINATION REPORT

Application No

2000/02899

### Additional sheet

(To be used when the space in any of the preceding boxes is not sufficient)

However, it is known from D5 (page 13, column 3 and a drawing) that a batch material melting process is conducted in a glass melting furnace furnished with contact burners, i.e. gas burning is effected directly in a melt, as it is described in the claimed process.

So claim 1 lacks an inventive step.

It is also known from D5 that the submerged burners are fed with an oxidizer in the form of air and with a fuel in the form of natural gas. The contact combustion by means of said burners provides for a high degree of stirring of the batch material (page 14, column 3).

Thus, D5 discloses the features of claims 2 to 4, so the process of claims 2 to 4 does not meet the criterion of inventive step.

It is known from D6 (claim 1) that the heat necessary for melting the batch material is fed by submersion burners using preferably hydrogen as a fuel and oxygen as an oxidizer, with water vapors being generated as a combustion product and supplied into the batch materials.

The features of the process of claim 5 are therefore known from D6, so claim 5 does not meet the criterion of inventive step.

It is known from D4, page 84, that a gaseous part of a batch material evaporates during a silica conversion process, so in case halides or sulfates of said alkali metals are fed into batch materials, derivatives such as HCl, Cl<sub>2</sub> or H<sub>2</sub>SO<sub>4</sub> are generated as volatile components.

It also follows from D4 that the silica(s) may be used as vitrifying materials for a glass melting furnace and fed into a melting zone in hot state, since a silica conversion process and a vitrifying process are supposed to be conducted in the same reactor.

So the process of claims 6 to 8 also lacks an inventive steps.

It is known from D5 a glass melting apparatus comprising a reactor (vessel) equipped with submerged burners, means for feeding components necessary for obtaining a glass batch. According to D4 (see pages 307, 308, 313, 325), silica, halides, sulfates or nitrates, as well as combustibles such as coke (see page 335) may be used as such components.

The apparatus of claim 9 differs from that known from D5 in that glass batch components are introduced at the level below the level of the materials undergoing melting process. So claim 9 and dependent claims 10 to 12 meet the criterion of novelty.

However, it is known from D7 that a chamber for producing a silica melt is equipped with a feed-screw batch charger adjoining a sole part of the reactor. A jet of gas ("flame") comes from a burner directly to a batch charge so that the batch charge surface is immediately fused.

So, a molten layer is permanently available on the supplied batch material, as it is the case with the claimed embodiment, to prevent glass batch components from being drawn away (see columns 3, 4 of Description, D7), i.e., D7 discloses the feature of the apparatus of claim 9. So claim 9 does not meet the criterion of inventive step.

It is known from D5 (page 14, column 2) that the walls of the glass melting furnace are provided with refractory materials of electrocast type (Bakor-45), and D4 (page 235) discloses a molten pool (reactor) of approximately cubic or parallelepiped shape.

The features of apparatuses of dependent claims 10, 11 are therefore known from D5 and D4, so the apparatus of claims 10 and 11 lacks the criterion of inventive step.

## EXAMINATION REPORT

Application No

2000/02899

### Additional sheet

(To be used when the space in any of the preceding boxes is not sufficient)

The apparatus of claim 12 meets the criteria of novelty and inventive step since the aforesaid documents do not contain information on the utilization of volatile gases.

Claim 13 meets the criterion of novelty but lacks the criterion of inventive step since it comprises all the features of a process of claim 1 or of an apparatus of claim 9.

It is known that an apparatus disclosed in D5 is used for manufacture of sodium silicate ( $\text{Na}_2\text{SiO}_3$ ). The features disclosing the composition of the batch materials are known from D4, so claim 15 does not also meet the criterion of inventive step.

Utilization of the method and apparatus of claims 14,16,17 is not known from the prior art, so the inventions of claims 14,16,17 meet the criteria of novelty and inventive step.

The process of obtaining glass of claim 18 is disclosed by the features of aforesaid claim 1, so claim 18 meets the criterion of novelty, but does not meet the criterion of inventive step.

# NOVELTY SEARCH REPORT

Application No. P0102284

Category	P C T	Identification data of relevant documents	Relevant to claim No.	Classification of the application
		see the International Search Report		IPC 6
A		HU 212 280 B see whole specification	1-18	C03B 5235 C03B 300 C03B 504
A		HU 217 662 B see whole specification	1-18	
				Examined special field IPC 6  C03C
Date: October 14, 2002		Person performing the search:		
* from the PCT Search Report <b>Categories of relevant documents:</b> X: document comprising all the essential features of the examined solution Y: document comprising all the essential features of the examined solution in combination with one or two other documents A: document defining the state of art		O: document referring to public use, exploitation, oral communication, exhibition or any other type of disclosure P: document published prior to the Hungarian filing date but later than the priority date claimed E: Hungarian patent or utility model specification having an earlier priority date and being published after the priority date of the examined application		
		D: document cited by applicant as belonging to the state of the art in the examined application &: document member of the same patent family (analogue)		

Your Ref.: CC 2 1999008 TW

2/6

Our Case No.: 831703

Appln. No.: 89102025

Present Stage: Re-examination

Type of Notice: Final Official Action Prior to Rejection

Cited Reference: Y

**[TRANSLATION]**

**Main Text:**

After re-examination it is found that the subject application No. 89102025 still involves unclear points (and/or undefined items) as listed in the following paragraph of "Explanation 3". If the applicant has concrete proof and/or explanation capable of rebutting the reasons set forth below, please prepare and submit a response together with said information within 60 days after service of this letter. In default of response within the prescribed period, the subject application will be examined and a decision [TIPLO: i.e. rejection] will be made with the information now available.

**Explanation:**

1. If the subject application needs any amendment thereto, the amendment should be made according to Article 44, Article 44-1, Article 102-1 and Article 116 of the Patent Law, Article 28 and Article 50 of the Enforcement Rules of the Patent Law, and also the Regulations as proclaimed on November 8, 2002, according to which an official fee of NT\$1,000 should be paid (in case of supplementation, or any amendment to the specification or drawings, the applicant should make a request therefor in written form in duplicate, accompanied by parts of or the whole text of the specification as required, where the supplemented and/or amended paragraphs are underlined).
  
2. In case of a desire to come to IPO for further demonstration or explanation by face to face, please make a note "Applying for an interview" on the response submitted and thereafter the applicant will have an interview with the members of the interview committee after an official fee of NT\$2,000 is paid, with the proviso that the committee believes the interview is necessary.

Your Ref.: CC 2 1999008 TW

3/6

Our Case No.: 831703

Appln. No.: 89102025

Present Stage: Re-examination

Type of Notice: Final Official Action Prior to Rejection

Cited Reference: Y

3. Upon re-examination, the Examiner is of the following opinions:

- (1) It shall be pointed out firstly that concerning the subject application in the re-examination stage the Patent Office had issued a Pre-notice of Rejection under No. 01021/09182006118 (91) dated November 4, 2002 previously, requesting amendment to the claims and a Response hereto; then in reply, the applicant submitted the Response on January 6, 2003, together with the amendment which was found statutory without causing any substantive change to the subject application *per se*. Now the subject application is examined on the basis of said Response and amendment.
- (2) Please supplement at least one working example to the specification now on file, where the details of the subject process, including the reactants as used, amount ratio of feeds, reaction temperature, reaction time, the final products, and so on are recited clearly.
- (3) The subject application is related to a process for preparing batch materials that can be used in glass manufacture which, as recited in the claims, starts from reacting SiO<sub>2</sub> and Na<sub>2</sub>O with NaCl as the raw material, and eventually results in vitrifiable materials. However, it is found that the technical content of the subject application is the same as what is disclosed in the prior art documents US 4,756,903 and US 4,581,217 as cited in the previous stage. Please explain this point in written form and an interview as requested is not necessary.
- (4) There is involved a multiple dependency problem in Claims 19, 23 and 24, which should be amended. Also, the subject matter of Claims 38 and 39 now on file involves a certain typing error.

**[TIPLO's Remarks]**

1. **Digest of the Notice:**

The Examiner requests supplementing working examples and explaining the difference between the present invention and the cited references US 4,756,903 and US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Pierre JEANVOINE

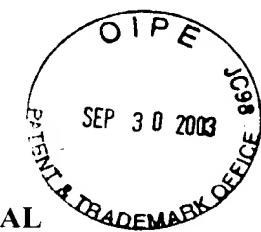
SERIAL NO: 09/646,880

GAU: 1731

FILED: January 26, 2001

EXAMINER: COLAINNI, M.

FOR: METHOD FOR PREPARING RAW MATERIALS FOR GLASS-MAKING



## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

This is a request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

## Submission required under 37 C.F.R. §1.114

Previously Submitted:

- Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on  
 Consider the arguments in the Appeal Brief or Reply Brief previously filed on

Enclosed:

- Amendment/Reply  
 Information Disclosure Statement (IDS)  
 Other: Letter; Form PTO 1449 (2pp.); Cited References (31); European Office Action (w/partial English translation); Singapore Written Opinion; New Zealand Examination Report and Hungarian Search Report; List of Related Cases; Cited Pending Application (1); Request for Priority; Priority Documents (2)

FEES	RATE	CALCULATIONS
<input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of months.	\$130.00	\$0.00
<input checked="" type="checkbox"/> RCE Fee required under 37 C.F.R. §1.17(e)	\$750.00	\$750.00
<b>A THREE MONTH EXTENSION OF TIME IS REQUESTED</b>		\$930.00
<input type="checkbox"/>		\$0.00
<b>TOTAL OF ABOVE CALCULATIONS:</b>		\$1,680.00
<input type="checkbox"/> REDUCTION BY 50% FOR FILING AS SMALL ENTITY		\$0.00
<b>TOTAL:</b>		\$1,680.00

- A check in the amount of \$1,680.00 is enclosed  
 Credit card payment form is attached to cover the fees in the amount of \$0.00  
 Please charge any additional Fees for the papers being filed herewith and for which no check or credit card payment form is enclosed herewith, or credit any overpayment to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.  
 If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 CFR 1.136, and any additional fees required under 37 CFR 1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate of this sheet is enclosed.

Respectfully Submitted,

OBLON, SPIVAK MCCLELLAND,  
MAIER & NEUSTADT, P.C.Richard L. Treanor  
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